

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ARIANNA GOODMAN, et al.,

Plaintiffs,

vs.

HOWARD LUTNICK, in his official capacity
as Secretary of Commerce, et al.,

Defendants.

Case No.: 8:25-cv-02097-LKG

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs respectfully submit supplemental authority in support of their Opposition to Defendants' Motion to Dismiss (ECF No. 18).

In *Jackson v. Kennedy*, No. 25-cv-1750, 2026 WL 172440, at *1 (D.D.C. Jan. 22, 2026), the court considered Privacy Act claims brought by a group of former federal employees who were fired as part of a large-scale reduction-in-force at the Department of Health and Human Services (HHS). Defendants in that case moved to dismiss, arguing that the court lacked jurisdiction and that plaintiffs failed to state a claim. *Id.* at *6. As to jurisdiction, the defendants argued that *Elgin v. Department of the Treasury*, 567 U.S. 1 (2012) controlled and required dismissal. *Id.* at *9. The court rejected that argument, holding that it was “foreclosed by controlling precedent in the D.C. Circuit, which has taken a ‘narrow view of CSRA preemption in Privacy Act cases.’” *Id.* at *7 (quoting *Gerlich v. U.S. Dep’t of Just.*, 659 F. Supp. 2d 1, 14 (D.D.C. 2009)). Accordingly, aside from dismissing individual defendants named in their official capacity as “redundant,” *id.* at *14, the court denied the defendants’ motion to dismiss on both grounds, *id.* at *15.

A true and correct copy of the opinion is attached as Exhibit 1.

Dated: January 23, 2026

Respectfully submitted,

/s/ Clayton L. Bailey

Clayton L. Bailey (Bar No. 31812)

Civil Service Law Center LLP

1455 Pennsylvania Ave NW, Suite 400

Washington, DC 20004

(202) 571-7836

cbailey@civilservicellp.com